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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>  |  | ATTORNEY'S DOCKET NUMBER<br><b>1321-16 PCT US</b><br>U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/532751</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/US2003/034038</b>  | INTERNATIONAL FILING DATE<br><b>October 25, 2003</b> | PRIORITY DATE CLAIMED<br><b>October 26, 2002</b>   |
| TITLE OF INVENTION <b>RETARDATION OF CRYSTALLIZATION IN OLIGOMERIC PHOSPHATE COMPOSITIONS</b>  |  |  |
| APPLICANT(S) FOR DO/EO/US <b>Sergei Levchik and Gerald R. Alessio</b>  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> <b>FORM PCT/IB/308</b><br/>Other items or information:</li> </ol> |  |  |

## CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service on the date below in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EV557023339US addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 26, 2005

  
George M. Kaplan

|   |              |   |         |  |    |
|---|--------------|---|---------|--|----|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/532751</b>   |              | INTERNATIONAL APPLICATION NO.<br><b>PCT/US2003/034038</b>                     |         | ATTORNEY'S DOCKET NUMBER<br><b>1321-16 PCT US</b>  |    |
| The following fees have been submitted  |              |   |         | CALCULATIONS PTO USE ONLY  |    |
| 21. <input checked="" type="checkbox"/> Basic national fee..... \$300   |              |   |         | \$ 300.00  |    |
| 22. <input checked="" type="checkbox"/> Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100<br>All other situations..... \$200   |              |   |         | \$ 200.00  |    |
| 23. <input checked="" type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100<br>International Search Report prepared and provided to the Office..... \$400<br>All other situations..... \$500   |              |   |         | \$ 400.00  |    |
| <b>TOTAL OF 21, 22 and 23 =</b>   |              |   |         | <b>\$ 900.00</b>   |    |
| <input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |              |   |         |  |    |
| Total Sheets  | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE    |  |    |
| 6 - 100 =   | /50 =        | 0   | x \$250 | \$   |    |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).  |              |   |         | \$   |    |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE    | \$   |    |
| Total claims  | 8 - 20 =     | 0   | x \$ 50 | \$   |    |
| Independent claims  | 1 - 3 =      | 0   | x \$200 | \$   |    |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360 | \$   |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |         | <b>\$ 900.00</b>   |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |              |   |         |  |    |
| <b>SUBTOTAL =</b>   |              |   |         | <b>\$ 900.00</b>   |    |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |              |   |         | \$   |    |
| <b>TOTAL NATIONAL FEE =</b>   |              |   |         | <b>\$ 900.00</b>   |    |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |         | \$   |    |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |         | <b>\$ 900.00</b>   |    |
|   |              |   |         | Amount to be refunded:   | \$ |
|   |              |   |         | Amount to be charged:  | \$ |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 900.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.<br/>A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1121. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> |              |   |         |  |    |
| <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:<br/>DILWORTH &amp; BARRESE LLP<br/>333 EARLE OVINGTON BLVD., SUITE 702<br/>UNIONDALE, NEW YORK 11553<br/>(516) 228-8484</p>   |              |   |         |  |    |
|   |              |   |         | <p><br/>SIGNATURE<br/><b>George M. Kaplan, Esq.</b><br/>NAME<br/><b>28,375</b><br/>REGISTRATION NUMBER</p> |    |

10/532751

JC20 R 1 PCT/PTO 26 APR 2005

IN THE UNITED STATES RECEIVING OFFICE

Applicant(s): Levchik et al.

Appln. No.: Not yet assigned

Filing Date: Herewith

For RETARDATION OF CRYSTALLIZATION IN OLIGOMERIC PHOSPHATE COMPOSITIONS

Docket: 1321-16 PCT US


Dated: April 26, 2005

Box PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

LETTER

Please make of record the references listed upon accompanying Form PTO-1449 and cited in the International Search Report of the priority PCT application. Copies of the International citations are enclosed.

Respectfully submitted,

  
George M. Kaplan  
Reg. No. 28,375  
Attorney for Applicant(s)

**DILWORTH & BARRESE, LLP**  
333 Earle Ovington Blvd.  
Uniondale, New York 11553  
Phone: 516-228-8484

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